

**ASSEMBLY BILL**

**No. 2308**

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**Introduced by Assembly Member Roger Hernández**

February 18, 2016

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An act to amend Section 49452.9 of, and to add Chapter 11.2 (commencing with Section 66920) to Part 40 of Division 5 of Title 3 of, the Education Code, relating to health care coverage.

LEGISLATIVE COUNSEL'S DIGEST

AB 2308, as introduced, Roger Hernández. Health care coverage: enrollment assistance.

Existing law establishes the California State University, under the administration of the Trustees of the California State University, and the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as 2 of the 3 segments of public postsecondary education in this state. Existing law establishes community college districts throughout the state and authorizes them to provide instruction to students at community college campuses.

Existing law, the federal Patient Protection and Affordable Care Act (PPACA), requires an applicable individual to ensure that he or she, and any dependent of that individual, is covered under minimum essential coverage for each month beginning after January 2013.

This bill would establish the California Health Care Coverage Enrollment Assistance Act of 2016 to provide uninsured students of the California State University and the California Community Colleges with information about health care coverage options and enrollment assistance commencing with the 2017–18 academic year. The act would, among other things, authorize each campus of the California State

University and the California Community Colleges to develop an informational item or amend an existing enrollment form, or Internet Web site to provide uninsured students information about health care coverage options. The act would authorize each campus to also include a factsheet with its enrollment forms explaining basic information about affordable health care coverage options for children and families. The bill would require the State Department of Education to develop a standardized template for the factsheet and the informational item or amendment and would require the department to make those templates available on its Internet Web site on or before August 1, 2017, and provide written copies to a campus upon request.

By requiring community colleges to perform additional duties, this bill would impose a state-mandated local program.

Existing law requires a public school, for purposes of the 2015–16, 2016–17, and 2017–18 school years, to add an informational item to its enrollment forms, or amend an existing enrollment form, in order to provide the parent or legal guardian information about health care coverage options and enrollment assistance, as specified. Existing law authorizes a school to also include a factsheet with its enrollment forms. Existing law requires the State Department of Education to, among other things, develop a standardized template for the factsheet and the informational item or amendment and make those templates available on its Internet Web site on or before August 1, 2015. Existing law repeals these provisions on January 1, 2019.

This bill would delete the repeal date for these provisions and thereby extend these requirements indefinitely. By extending these duties on local school districts, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

SECTION 1. Section 49452.9 of the Education Code is amended to read:

49452.9. (a) ~~For purposes of the 2015–16, 2016–17, and 2017–18 school years, Commencing with the 2015–16 school year, and each school year thereafter,~~ a public school, including a charter school, shall add an informational item to its enrollment forms, or amend an existing enrollment form, in order to provide the parent or legal guardian information about health care coverage options and enrollment assistance.

(b) To satisfy the requirements of subdivision (a), a school may do either of the following:

(1) Use a template developed pursuant to subdivision (d).

(2) Develop an informational item or amend an existing enrollment form to provide information about health care coverage options and enrollment assistance.

(c) A school may include a factsheet with its enrollment forms explaining basic information about affordable health care coverage options for children and families.

(d) (1) The department shall develop a standardized template for both of the following:

(A) The informational item or amendment required by subdivision (a).

(B) The factsheet described in subdivision (c).

(2) The department shall make any templates developed pursuant to this subdivision available on its Internet Web site on or before August 1, 2015, and shall, upon request, provide written copies of the template to a school district.

(e) A school district shall not discriminate against a pupil who does not have health care coverage or use any information relating to a pupil's health care coverage or interest in learning about health care coverage in any manner that would bring harm to the pupil or the pupil's family.

~~(f) This section shall remain in effect only until January 1, 2019, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2019, deletes or extends that date.~~

SEC. 2. Chapter 11.2 (commencing with Section 66920) is added to Part 40 of Division 5 of Title 3 of the Education Code, to read:

1           CHAPTER 11.2. CALIFORNIA HEALTH CARE COVERAGE  
2           ENROLLMENT ASSISTANCE ACT OF 2016

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4       66920. This chapter shall be known, and may be cited, as the  
5 California Health Care Coverage Enrollment Assistance Act of  
6 2016.

7       66921. The California Health Care Coverage Enrollment  
8 Assistance Act of 2016 is hereby established to provide uninsured  
9 students of the California State University and the California  
10 Community Colleges with information about health care coverage  
11 options and enrollment assistance.

12       66922. (a) Commencing with the 2017–18 academic year,  
13 each campus of the California State University and the California  
14 Community Colleges shall identify its uninsured students and offer  
15 these students contact information for local entities to provide  
16 health care enrollment assistance.

17       (b) Commencing with the 2017–18 academic year, each campus  
18 of the California State University and the California Community  
19 Colleges shall offer uninsured students information about health  
20 care coverage options.

21       (c) To satisfy the requirements of subdivision (a), the campus  
22 may do any of the following:

23       (1) Add health insurance screening questions and contact  
24 information for local health care enrollment assistance entities to  
25 its enrollment forms.

26       (2) Develop a screening method to identify uninsured students  
27 and offer these students contact information for local health care  
28 enrollment entities.

29       (3) Partner with local organizations to ensure students who are  
30 identified as uninsured by the campus receive health care  
31 enrollment assistance.

32       (d) To satisfy the requirements of subdivision (b), the campus  
33 may do either of the following:

34       (1) Use a template developed pursuant to subdivision (f).

35       (2) Develop an informational item or amend an existing  
36 enrollment form or Internet Web site to provide uninsured students  
37 information about health care coverage options.

38       (e) A campus of the California State University or the California  
39 Community Colleges may include a factsheet with its enrollment

1 forms explaining basic information about affordable health care  
2 coverage options for students.

3 (f) (1) The State Department of Education shall develop a  
4 standardized template for both of the following:

5 (A) The informational item or amendment described in  
6 paragraph (2) of subdivision (d).

7 (B) The factsheet described in subdivision (e).

8 (2) The department shall make any templates developed pursuant  
9 to this subdivision available on its Internet Web site on or before  
10 August 1, 2017, and shall, upon request, provide written copies of  
11 the template to a campus of the California State University and  
12 the California Community Colleges.

13 (g) A campus of the California State University or the California  
14 Community Colleges shall not discriminate against a student who  
15 does not have health coverage or use any information relating to  
16 a student's health care coverage or interest in learning about health  
17 care coverage in any manner that would bring harm to the student.

18 SEC. 3. If the Commission on State Mandates determines that  
19 this act contains costs mandated by the state, reimbursement to  
20 local agencies and school districts for those costs shall be made  
21 pursuant to Part 7 (commencing with Section 17500) of Division  
22 4 of Title 2 of the Government Code.